

Message Text

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ACTION EA-12

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FM USLO PEKING

TO SECSTATE WASHDC PRIORITY 0787

INFO AMCONSUL HONG KONG

AMEMBASSY TOKYO

CINCPAC HONOLULU HI

C O N F I D E N T I A L PEKING 1453

CINCPAC FOR POLAD

E.O. 11652: GDS

TAGS: PINT PINS SHUM CH

SUBJ: PRC SUPREME COURT UPHOLDS DEATH SENTENCE FOR ANTI-REGIME
PAMPHLETEER

1. SUMMARY. A FEBRUARY COURT NOTICE POSTED IN CANTON REVEALS
DETAILS OF CASE INVOLVING MAN SENTENCED TO DEATH FOR WRITING
"ANTI-PARTY ARTICLES," ENGAGING IN "COUNTER-REVOLUTINARY
DESTRUCTIVE ACTIVITIES," MIMEOGRAPHING AND DISSEMINATING
TO FOREIGN COUNTRIES "COUNTER-REVOLUTIONARY ARTICLES,"
AND PRAISING "WITH AG# HIS STRENGTH SOCIAL-IMPERIALISM."

THE DEATH SENTENCE, TO BE CARRIED OUT FORTHWITH, WAS
RATIFIED BY THE PRC SUPREME COURT "IN ORDER TO PUT INTO
EFFECT CHAIRMAN HUA'S INSTRUCTION TO BRING ABOUT GREAT ORDER
ALL OVER THE COUNTRY." END SUMMARY.

2. A WESTERN DIPLOMATIC COLLEAGUE HAS PROVIDED USLO WITH
A PHOTOGRAPH OF KWANGTUNG PROVINCIAL SUPREME COURT NOTICE #1 FOR
1978, DATED FEB 18, 1978 AND STILL ON DISPLAY IN
CANTON. THE NOTICE PROVIDES DETAILS OF THE CASE
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AGAINST "THE ACTIVE COUNTER-REVOLUTIONARY CRIMINAL"
HO CH'UN-SHU, WHO WAS SENTENCED TO DEATH FOR
THE FOLLOWING CRIMES:

--IN 1956, AFTER BECOMING A TEACHER, HE RESOLUTELY MAINTAINED
A REACTIONARY STAND AND DEEPLY HATED OUR PARTY AND THE
SOCIALIST SYSTEM;

--IN 1963 HE STARTED TO WRITE, IN SECRET, A LARGE NUMBER

OF COUNTER-REVOLUTIONARY ARTICLES;
--AFTER THE CULTURAL REVOLUTION BEGAN HE ENGAGED IN
COUNTER-REVOLUTIONARY DESTRUCTIVE ACTIVITIES AND MIMEOGRAPHED
COUNTER-REVOLUTIONARY ARTICLES OF MORE THAN 200,000 WORDS
WHICH HE HAD WRITTEN CLANDESTINELY;
--HE SENT THIS BROCHURE TO "REACTIONARY NEWSPAPERS AND
MAGAZINES" IN HONG KONG, TO THE SOVIET REVISIONISTS, AND
TO THE "AMERICAN IMPERIALISTS" ...AND TO CERTAIN INSTITUTIONS
AND PRESS ORGANIZATIONS IN OUR COUNTRYJA
--HE "POISONOUSLY INSULTED OUR GREAT LEADER AND TEACHER (I.E.
CHAIRMAN MAO), HE ATTACKED AND DEFAMED THE SOCIALIST
SYSTEM, HE ATTACKED THE CULTURAL REVOLUTION;
--HE "PRAISED WITH ALL HIS STRENGTH SOCIAL-IMPERIALISM"
(I.E. THE SOVIET UNION); AND
--HE VAINLY ATTEMPTED TO OVERTHROW THE DICTATORSHIP OF THE
PROLETARIAT AND TO RESTORE CAPITALISM.

3. BECAUSE OF THESE "EXTREMELY SERIOUS CRIMES" AND HIS
REFUSAL TO ADMIT HIS CRIMES FOR A LONG PERIOD OF TIME, HE
ALLEGEDLY INSPIRED GREAT ANGER AMONG THE PEOPLE AND
REVEALED HIMSELF AS A "STUBBORN, UNCHANGEABLE COUNTER-
REVOLUTIONARY ELEMENT AND ENEMY OF THE PEOPLE." HENCE
HE WAS SENTENCED TO DEATH AND THE SENTENCE UPHELD BY THE
SUPREME COURT OF THE PEOPLE'S REPUBLIC OF CHINA.
FOLLOWING THAT RATIFICATION AND VERIFICATION OF HIS IDENTITY
HE WAS "TO BE LED TO THE EXECUTION GROUND (IN CANTON) AND
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SHOT" ON FEBRUARY 18. THIS DECISION WAS EXPLICITLY
LINKED TO THE NEED "TO PUT INTO EFFECT CHAIRMAN HUA'S
INSTRUCTION TO BRING ABOUT TREAT ORDER ALL OVER THE COUNTRY."

4. COMMENT: THIS CASE, WHICH IS NOT NECESSARILY ATYPICAL,
IS ONE OF THE FEW THAT USLO HAS NOTED WHICH CALLS FOR
THE DEATH PENALTY FOR POLITICAL CRIMES ALONE. THERE IS
NO INDICATION IN THE BILL OF PARTICULARS THAT HO WAS
GUILTY OF VIOLENT ACTIVITIES.

5. USLO WILL POUCH COPY OF PHOTOGRAPH TO DEPARTMENT.
WOODCOCK

NOTE BY OC/T: #AS RECEIVED.

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NNN

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